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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Report of the Third Committee (Part III)*

Rapporteur: Mr. Nikolai N. LEPESHKO (Belarus)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 23 September 1994, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-ninth session the item entitled:

"Human rights questions:

"(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms"

and to allocate it to the Third Committee.

2. The Committee considered the item at its 37th to 48th, 50th, 55th, 56th, 59th and 61st to 67th meetings, on 21 to 23, 25 and 28 to 30 November and 1, 6 and 8 to 10, 12, 13 and 14 December 1994. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.3/49/SR.37-48, 50, 55, 56, 59 and 61-67).

3. For the documents before the Committee under this item, see A/49/610.

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* The report of the Committee on agenda item 100 will be issued in six parts, under the symbol A/49/610 and Add.1-5.

4. At the 37th meeting, on 21 November, the United Nations High Commissioner for Human Rights made an introductory statement (see A/C.3/49/SR.37).

5. At the 38th meeting, on 22 November, the Assistant Secretary-General for Human Rights made an introductory statement (see A/C.3/49/SR.38).

II. CONSIDERATION OF DRAFT PROPOSALS

A. Draft resolution A/C.3/49/L.33

6. At the 50th meeting, on 1 December, the representative of Peru, on behalf of Bolivia, Chile, Colombia, Costa Rica, Cuba, Denmark, the Dominican Republic, Ecuador, Ethiopia, France, Guinea-Bissau, India, Israel, Mexico, Morocco, Nicaragua, Nigeria, Panama, Paraguay, Peru, the Philippines, Spain, Suriname, Turkey, Uganda, Uruguay and Venezuela, introduced a draft resolution entitled "Human rights and extreme poverty" (A/C.3/49/L.33). Subsequently, Afghanistan, the Bahamas, Bangladesh, Bhutan, Côte d'Ivoire, Gabon, Guatemala, Honduras, Madagascar, Malaysia, Mali, Mauritius, Mongolia, the Niger, South Africa and Zambia joined in sponsoring the draft resolution.

7. At its 55th meeting, on 6 December, the Committee adopted draft resolution A/C.3/49/L.33 without a vote (see para. 68, draft resolution I).

8. After the adoption of the draft resolution, the representative of India made a statement (see A/C.3/49/SR.55).

B. Draft resolution A/C.3/49/L.34

9. At the 56th meeting, on 6 December, the representative of Cuba, on behalf of China, Cuba, the Democratic People's Republic of Korea, Iraq, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Myanmar, Namibia, the Sudan, the United Republic of Tanzania, Viet Nam and Zimbabwe introduced a draft resolution entitled "Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes" (A/C.3/49/L.34).

10. At the 63rd meeting, on 12 December, the representative of Germany made a statement on behalf of the States members of the United Nations that are members of the European Union and Austria, Finland and Sweden (see A/C.3/49/SR.63).

11. At the same meeting, the Committee adopted draft resolution A/C.3/49/L.34 by a recorded vote of 80 to 53, with 18 abstentions (see para. 68, draft resolution II). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cape Verde, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Ecuador, Egypt, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica,

Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Qatar, Republic of Moldova, Saint Lucia, Saudi Arabia, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Belize, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Bahamas, Bolivia, Cameroon, Chile, Costa Rica, El Salvador, Georgia, Guatemala, Kyrgyzstan, Lesotho, Nicaragua, Niger, Panama, Paraguay, Philippines, Russian Federation, the former Yugoslav Republic of Macedonia, Uzbekistan.

12. After the adoption of the draft resolution, statements were made by the representatives of Argentina and Chile (see A/C.3/49/SR.63).

C. Draft resolution A/C.3/49/L.35

13. At the 56th meeting, on 6 December, the representative of Cuba, on behalf of Angola, Bangladesh, China, Colombia, Cuba, the Democratic People's Republic of Korea, Ghana, Iran (Islamic Republic of), Iraq, the Lao People's Democratic Republic, Lesotho, Malaysia, Mexico, Mozambique, Namibia, Pakistan, Peru, the Sudan, the United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe, introduced a draft resolution entitled "Strengthening of United Nations action in the human rights field through the promotion of international cooperation, and the importance of non-selectivity, impartiality and objectivity" (A/C.3/49/L.35). Subsequently, Indonesia and the Bahamas joined in sponsoring the draft resolution.

14. At its 63rd meeting, on 12 December, the Committee adopted draft resolution A/C.3/49/L.35 without a vote (see para. 68, draft resolution III).

15. After the adoption of the draft resolution, the representative of Chile made a statement (see A/C.3/49/SR.63).

D. Draft resolution A/C.3/49/L.37

16. At the 56th meeting, on 6 December, the representative of Cuba introduced a draft resolution entitled "Respect for the universal freedom of travel and the vital importance of family reunification" (A/C.3/49/L.37) and orally revised it as follows: in operative paragraph 4, the words "freedom of migrants to travel" were deleted, and the words "of documented migrants" were inserted after the words "family reunification".

17. At the 63rd meeting, on 12 December, the representative of Cuba further orally revised the draft resolution as follows:

(a) In operative paragraph 3, the words "in conformity with international legislation" were inserted after the words "to allow";

(b) At the end of operative paragraph 5, the words "and, through the Economic and Social Council, to present recommendations to the General Assembly at its fiftieth session" were deleted.

18. At the same meeting, the Committee adopted the draft resolution, as further orally revised, by a recorded vote of 78 to 4, with 65 abstentions (see para. 68, draft resolution IV). The voting was as follows:

In favour: Afghanistan, Algeria, Andorra, Angola, Armenia, Bangladesh, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Ethiopia, France, Gambia, Ghana, Guatemala, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Mali, Mauritania, Mexico, Micronesia (Federated States of), Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Paraguay, Peru, Saint Lucia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, United Republic of Tanzania, Uruguay, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Albania, Antigua and Barbuda, Argentina, Austria, Azerbaijan, Bahamas, Belarus, Belgium, Belize, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Fiji, Finland, Gabon, Georgia, Germany, Greece, Guinea, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mongolia, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Sierra Leone, Singapore,

Slovakia, Slovenia, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Ukraine, Uzbekistan, Venezuela.

19. After the adoption of the draft resolution, the representatives of Argentina, Chile, Mexico, Japan, Venezuela and the United States of America made statements (see A/C.3/49/SR.63).

E. Draft resolution A/C.3/49/L.38

20. At the 59th meeting, on 8 December, the representative of Indonesia, on behalf of the States Members of the United Nations that are members of the Movement of the Non-Aligned Countries and China, Mexico and Uruguay, subsequently joined by Argentina, Australia, Austria, Belgium, Brazil, Costa Rica, Denmark, the Dominican Republic, France, Greece, Kyrgyzstan, Mexico, Panama, Spain and Uruguay, introduced a draft resolution entitled "Right to development" (A/C.3/49/L.38).

21. At the 66th meeting, on 14 December, the representative of Indonesia orally revised the draft resolution as follows:

(a) In operative paragraph 4, the words "relevant aspects" were revised to read "the various aspects", and the words "inter alia" were inserted before the words "the implementation";

(b) At the end of operative paragraph 7, the words "as part of the efforts to implement the Vienna Declaration and Programme of action" were added.

22. At the same meeting, the Committee adopted draft resolution A/C.3/49/L.38 without a vote (see para. 68, draft resolution V).

23. After the adoption of the draft resolution, the representatives of Bulgaria, Japan and the United States of America made statements (see A/C.3/49/SR.66).

F. Draft resolutions A/C.3/49/L.39 and Rev.1

24. At the 59th meeting, on 8 December, the representative of Costa Rica, on behalf of Austria, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Burkina Faso, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, the Dominican Republic, Ecuador, El Salvador, France, Gabon, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Iceland, India, Israel, Lesotho, Malawi, Malaysia, Malta, Mauritania, Mongolia, Morocco, Mozambique, Namibia, Nepal, the Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, the Philippines, Poland, the Russian Federation, Senegal, Slovenia, South Africa, Suriname, Uganda, the United Republic of Tanzania, Uruguay, Venezuela, and Zimbabwe, introduced a draft resolution entitled "United Nations Decade for Human Rights Education" (A/C.3/49/L.39), which read as follows:

"The General Assembly,

"Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, 1/

"Reaffirming article 26 of the Universal Declaration of Human Rights, according to which 'education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms',

"Recalling the provisions of other international human rights instruments, such as those of article 13 of the International Covenant on Economic, Social and Cultural Rights 2/ and article 28 of the Convention on the Rights of the Child, 3/ that reflect the aims of the aforementioned article,

"Taking into account Commission on Human Rights resolution 1993/56 of 9 March 1993, 4/ in which the Commission recommended that knowledge of human rights, both in its theoretical dimension and in its practical application, should be established as a priority in educational policies,

"Considering also Commission on Human Rights resolution 1994/51 of 4 March 1994, 5/ in which the Commission encouraged the United Nations High Commissioner for Human Rights to include among his specific objectives a plan of action for the United Nations decade for human rights education and invited the Secretary-General to submit to the General Assembly at its forty-ninth session a plan of action, through the Economic and Social Council, for a decade for human rights education,

"Convinced that human rights education should involve more than the provision of information but should rather constitute a comprehensive life-long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

"Convinced also that human rights education contributes to a concept of development consistent with the dignity of women and men of all ages, which takes into account the diverse segments of society such as children, indigenous peoples, minorities and disabled persons,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 44/25, annex.

4/ Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

5/ Ibid., 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

"Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the United Nations Children's Fund,

"Convinced that each woman, man and child, to realize their full human potential, must be made aware of all their human rights - civil, cultural, economic, political and social,

"Believing that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and ensuring equal opportunities through the promotion and protection of the human rights of women,

"Considering the World Plan of Action on Education for Human Rights and Democracy, 6/ adopted by the International Congress on Education for Human Rights and Democracy, convened by the United Nations Educational, Scientific and Cultural Organization at Montreal from 8 to 11 March 1993, and the statement by the Congress that 'education for human rights and democracy is itself a human right, and a prerequisite for the realization of human rights, democracy and social justice',

"Recalling that it is the responsibility of the United Nations High Commissioner for Human Rights 'to coordinate relevant United Nations education and public information programmes in the field of human rights', 7/

"Taking note of the report to the General Assembly of the United Nations High Commissioner for Human Rights, 8/ in which he declared that human rights education is 'essential for the encouragement of harmonious inter-community relations, for mutual tolerance and understanding and finally for peace',

"Aware of the experience in human rights education of United Nations peace-building operations, including the United Nations Observer Mission in El Salvador and the United Nations Transitional Authority in Cambodia,

"Bearing in mind the Vienna Declaration and Programme of Action, 9/ adopted by the World Conference on Human Rights at Vienna on 25 June 1993, in particular section II, paragraphs 78 to 82,

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6/ See A/CONF.157/PC/42/Add.6.

7/ Resolution 48/141, para. 4 (e).

8/ A/49/36, para. 94.

9/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

"1. Takes note with appreciation of the report of the Secretary-General on human rights education, 10/ submitted in accordance with the request contained in General Assembly resolution 48/127 of 21 December 1993;

"2. Proclaims the ten-year period beginning on 1 January 1995 as the United Nations Decade for Human Rights Education;

"3. Welcomes the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2005, as contained in the report of the Secretary-General; 11/

"4. Appeals to all Governments to contribute to the implementation of the Plan of Action and to step up their efforts to eradicate illiteracy and to direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms;

"5. Urges governmental and non-governmental educational agencies to intensify their efforts to establish and implement programmes of human rights education, as recommended in the Plan of Action, in particular by preparing and implementing national plans for human rights education;

"6. Requests the United Nations High Commissioner for Human Rights to coordinate the implementation of the Plan of Action;

"7. Requests the Centre for Human Rights and the Commission on Human Rights, in cooperation with Member States, human rights treaty-monitoring bodies, other appropriate bodies and competent non-governmental organizations, to support efforts of the United Nations High Commissioner to implement the Plan of Action;

"8. Requests the Secretary-General to consider establishing a voluntary fund for human rights education, with special provision for the support of the human rights education activities of non-governmental organizations, to be administered by the Centre for Human Rights of the Secretariat;

"9. Invites the specialized agencies and United Nations programmes to contribute, within their respective spheres of competence, to the implementation of the Plan of Action;

"10. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community and to intergovernmental and non-governmental organizations concerned with human rights and education;

10/ A/49/261 and Add.1.

11/ A/49/261/Add.1, annex.

"11. Calls upon international, regional and national non-governmental organizations, in particular those concerned with women, labour, development and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to increase their involvement in formal and non-formal education in human rights and to cooperate with the Centre for Human Rights in implementing a United Nations decade for human rights education;

"12. Requests the existing human rights monitoring bodies to place emphasis on the implementation by Member States of their international obligation to promote human rights education;

"13. Decides to consider this matter at its fiftieth session under the item entitled 'Human rights questions'."

25. In introducing the draft resolution, the representative of Costa Rica orally revised it as follows:

(a) At the end of operative paragraph 3, the words "and invites Governments to submit comments, with a view to supplementing the Plan of Action for the Decade" were added;

(b) After operative paragraph 3, a new paragraph was added which read as follows:

"4. Invites the Secretary-General to submit proposals, taking into account the views expressed by Governments, for the purposes indicated in paragraph 3";

(c) In operative paragraph 7, the word "implement" was replaced with the word "coordinate".

26. At its 64th meeting, on 13 December, the Committee had before it a revised draft resolution (A/C.3/49/L.39/Rev.1) submitted by the same sponsors, subsequently joined by Belarus, Cyprus, Guyana, Mauritius and Portugal.

27. At the same meeting, the representatives of Costa Rica and Côte d'Ivoire made statements (see A/C.3/49/SR.64).

28. Also at the same meeting, the Committee adopted revised draft resolution A/C.3/49/L.39/Rev.1 without a vote (see para. 68, draft resolution VI).

29. After the adoption of the revised draft resolution, the representative of Japan made a statement (see A/C.3/49/SR.64).

G. Draft resolution A/C.3/49/L.40

30. At the 56th meeting, on 6 December, the representative of Turkey, on behalf of Afghanistan, Albania, Algeria, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Brazil, Cambodia, Colombia, Costa Rica, Croatia, Cuba, Ecuador, Egypt, Georgia, Guatemala, Honduras, India, Kyrgyzstan, Mauritania, Morocco,

Nigeria, Panama, Peru, the Republic of Korea, Sierra Leone, Sri Lanka, the Sudan, Tajikistan, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Turkmenistan and Uruguay, introduced a draft resolution entitled "Human rights and terrorism" (A/C.3/49/L.40). Subsequently, the Dominican Republic, Kazakhstan, El Salvador, Ukraine, Uzbekistan and Venezuela joined in sponsoring the draft resolution.

31. At the 64th meeting, on 13 December, it was announced that Uruguay was no longer a sponsor of the draft resolution.

32. At the same meeting, the representative of Turkey orally revised the draft resolution as follows:

(a) In operative paragraph 1, the words "which constitute human rights violations" were replaced with the words "as activities", and the words "human rights" were added after the words "destruction of";

(b) In operative paragraph 3, the words "in accordance with international standards of human rights", after the words "Calls upon all States", were moved and inserted after the words "effective measures";

(c) In operative paragraph 4, the word "possible" was inserted before the word "establishment";

(d) In operative paragraph 6, the word "related" was deleted, and the word "particular" was replaced with the word "appropriate";

(e) Operative paragraph 7 was deleted, and the last operative paragraph was renumbered accordingly.

33. At the same meeting, the representatives of Sweden and Chile made statements (see A/C.3/49/SR.64).

34. Also at the same meeting, the Committee adopted draft resolution A/C.3/49/L.40, as orally revised, without a vote (see para. 68, draft resolution VII).

35. After the adoption of the draft resolution, statements were made by the representatives of the United States of America, Pakistan, Germany (on behalf of the States Members of the United Nations that are members of the European Union and Austria), Mexico, the Syrian Arab Republic and the Russian Federation (see A/C.3/49/SR.64).

H. Draft resolution A/C.3/49/L.41

36. At the 56th meeting, on 6 December, the representative of Cuba, on behalf of Algeria, Angola, Colombia, Cuba, the Democratic People's Republic of Korea, Ghana, India, Iran (Islamic Republic of), Iraq, the Lao People's Democratic Republic, Namibia, Nigeria, the Sudan, Uganda, the United Republic of Tanzania, Viet Nam, Yemen, Zambia and Zimbabwe, introduced a draft resolution entitled "Alternative approaches and ways and means within the United Nations system for

improving the effective enjoyment of human rights and fundamental freedoms" (A/C.3/49/L.42).

37. At its 63rd meeting, on 12 December, the Committee adopted draft resolution A/C.3/49/L.42 by a recorded vote of 97 to 34, with 22 abstentions (see para. 68, draft resolution VIII). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Republic of Moldova, Saint Lucia, Saudi Arabia, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Albania, Argentina, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Estonia, Fiji, Georgia, Kazakhstan, Malawi, Marshall Islands, New Zealand, Papua New Guinea, Republic of Korea, Russian Federation, Samoa, Slovenia, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

I. Draft resolution A/C.3/49/L.47

38. At the 59th meeting, on 8 December, the representative of Australia, on behalf of Australia, Greece, the Republic of Moldova and the Russian Federation, subsequently joined by Armenia, Canada and Belarus, introduced a draft resolution entitled "Development of public information activities in the field of human rights" (A/C.3/49/L.47), and orally revised it as follows:

(a) In operative paragraph 8, the words "under human rights instruments" were added after the words "States parties";

(b) In operative paragraph 11, the words "under human rights instruments" were added after the words "as well as reports";

(c) Operative paragraph 17 was deleted, and the last operative paragraph was renumbered accordingly.

39. At the 65th meeting, on 13 December, the representative of Australia further orally revised the draft resolution as follows:

(a) Operative paragraph 7, which had read:

"7. Requests the Department of Public Information and the Centre actively to explore further possibilities for the production of computer-accessible human rights information and human rights databases"

was replaced with the following paragraph:

"7. Takes note of the database established by the Centre for the promotion of all aspects of human rights";

(b) In operative paragraph 8, the words "to treaty monitoring bodies", before the words "and, to this end", were deleted;

(c) In operative paragraph 11, the words "to human rights treaty bodies", before the words "and to provide information", were deleted.

40. At the same meeting, the Committee adopted draft resolution A/C.3/49/L.47, as further orally revised, without a vote (see para. 68, draft resolution IX).

J. Draft resolution A/C.3/49/L.49

41. At the 62nd meeting, on 10 December, the representative of Ireland, on behalf of Albania, Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Denmark, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Romania, the Russian Federation, Sierra Leone, Slovenia, South Africa, Spain, Sweden, Ukraine, the United States of America, Uruguay and Venezuela, subsequently joined by Andorra, Azerbaijan, Cameroon, Cambodia, Cape Verde, Gabon, Gambia, Guinea-Bissau, Czech Republic, the former Yugoslav Republic of Macedonia, Papua New Guinea, Paraguay, the Philippines, Suriname, Togo, the Republic of Moldova and Uzbekistan, introduced a draft resolution entitled "Elimination of all forms of religious intolerance" (A/C.3/49/L.49). In introducing the draft resolution, the representative of Ireland orally revised it as follows: the fifth preambular paragraph, which had read:

"Emphasizing also that article 18 of the International Covenant on Civil and Political Rights permits no limitations on the freedom of thought and conscience or on the freedom to have or adopt a religion or belief of one's choice"

was revised to read:

"Recalling article 18 of the International Covenant on Civil and Political Rights".

42. At the same meeting, the representative of Ireland announced that Morocco was no longer a sponsor of the draft resolution.

43. Also at the same meeting, the Committee adopted draft resolution A/C.3/49/L.49, as orally revised, without a vote (see para. 68, draft resolution X).

K. Draft resolution A/C.3/49/L.50

44. At the 59th meeting, on 8 December, the representative of Belgium, on behalf of Argentina, Armenia, Australia, Austria, Belarus, Belgium, Benin, Brazil, Canada, Costa Rica, France, Germany, Greece, Guatemala, Hungary, Iceland, Israel, Italy, Japan, Malta, Panama, the Philippines, the Republic of Korea, Romania, the Russian Federation, Rwanda, Slovenia, Togo, Ukraine and Venezuela, introduced a draft resolution entitled "Regional arrangements for the promotion and protection of human rights" (A/C.3/49/L.50). Subsequently, Cameroon, Côte d'Ivoire, Gabon, the Gambia, Guinea-Bissau, Nigeria and Papua New Guinea joined in sponsoring the draft resolution.

45. At the 63rd meeting, on 12 December, the Committee adopted draft resolution A/C.3/49/L.50 without a vote (see para. 68, draft resolution XI).

L. Draft resolutions A/C.3/49/L.51 and Rev.1

46. At the 61st meeting, on 9 December, the representative of the United States of America, on behalf of Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, the Czech Republic, Denmark, Ethiopia, Finland, France, Georgia, Germany, Greece, Guinea, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Liberia, Lithuania, Luxembourg, Malawi, Mali, Mauritius, the Netherlands, Nicaragua, Norway, Paraguay, the Republic of Moldova, Romania, the Russian Federation, Slovakia, Spain, Sweden, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela and Yemen, introduced a draft resolution entitled "Strengthening the role of the United Nations in enhancing the effectiveness of periodic and genuine elections and the promotion of democratization" (A/C.3/49/L.51), which read as follows:

"The General Assembly,

"Recalling its previous resolutions on the subject, especially resolutions 47/138 of 18 December 1992 and 48/131 of 20 December 1993, as well as the annex to Commission on Human Rights resolution 1989/51 of 7 March 1989, 12/

"Recalling also the Vienna Declaration and Programme of Action, especially the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance in the strengthening and building of institutions relating to human rights and the strengthening of a pluralistic civil society, and that special emphasis should be given to measures that assist in achieving those goals, 13/

"Reaffirming that the electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

"Recognizing the usefulness of a comprehensive and balanced approach in the activities carried out by the United Nations in this field in order to contribute to the strengthening of both democracy and human rights within the country concerned,

"Welcoming the Colloquium on African Election Administration organized by the Electoral Assistance Division of the United Nations Secretariat in cooperation with the Department of Development Support and Management Services and non-governmental organizations, held in Zimbabwe from 15 to 18 November 1994, with the goal of contributing to the democratization process in Africa,

"Taking note of the Declaration on Criteria for Free and Fair Elections adopted by the Inter-Parliamentary Union on the occasion of its ninety-first conference, held in Paris in March 1994,

"Having considered the report of the Secretary-General, 14/

"Noting the continuing high level of requests for electoral assistance by Member States,

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12/ See Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

13/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/27 (Part I)), chap. III, sect. II, para. 67.

14/ A/49/675 and Corr.1.

"1. Takes note of the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections;

"2. Commends the electoral assistance provided to Member States at their request by the United Nations, requests that such assistance continue on a case-by-case basis in accordance with the proposed guidelines on electoral assistance, recognizing that the fundamental responsibility for ensuring free and fair elections lies with Governments, and also requests the Electoral Assistance Division to continue to inform Member States on a regular basis about the requests received, the responses given to those requests and the nature of the assistance provided;

"3. Requests that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

"4. Commends the steps taken by the United Nations to ensure the continuation and consolidation of the democratization process in certain Member States requesting assistance, including the provision of assistance before and after elections have taken place and needs-assessment missions aimed at recommending programmes which might contribute to the consolidation of the democratization process, and requests that such efforts be strengthened;

"5. Recommends that the Electoral Assistance Division provide post-election assistance to States that so request as well as to electoral institutions in order to contribute to the sustainability of their electoral processes, as provided for in the report of the Secretary-General, and that it study, in cooperation with relevant United Nations offices, ways of defining more clearly the activities related to democratic consolidation which the United Nations might usefully undertake in assisting the efforts of interested States in this regard;

"6. Requests the Secretary-General to take further steps to support States which request assistance by, inter alia, enabling the United Nations High Commissioner for Human Rights, in accordance with his mandate and through the Centre for Human Rights, to support democratization activities as related to human rights concerns, including, inter alia, human rights training and education, assistance for human rights-related legislative reform, strengthening and reform of the judiciary, assistance to national human rights institutions and advisory services on treaty accession, reporting and international obligations as related to human rights;

"7. Commends the programmes of assistance carried out by the United Nations Development Programme for civil service reform, for governance, and especially those for strengthening participation and linkages between concerned sectors of society and Governments;

"8. Recalls the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

"9. Stresses the importance of coordination within the United Nations system, commends the Centre for Human Rights of the United Nations Secretariat for the advisory services and technical assistance it provides and the Department for Development Support and Management Services of the Secretariat and the United Nations Development Programme for the technical assistance they provide to requesting Member States, and requests the Electoral Assistance Division to strengthen its collaboration with the Centre for Human Rights, including through an exchange of personnel when appropriate, and with the Department for Development Support and Management Services and the United Nations Development Programme and to inform them of requests submitted in the area of electoral assistance;

"10. Recommends that the United Nations continue and strengthen its coordination of election preparation and observation with intergovernmental and non-governmental organizations which have an interest in such activities;

"11. Requests the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources, under the regular budget of the Organization and within existing resources, to allow it to carry out its mandate and to reinforce the Centre for Human Rights through the redeployment of resources and personnel, so as to enable it to respond, in close coordination with the Electoral Assistance Division, to the increasing number of requests from Member States for advisory services in the area of electoral assistance;

"12. Recommends that, in connection with the commemoration of the fiftieth anniversary of the United Nations, special attention be paid to publicizing the Organization's successful efforts towards promoting genuine and periodic elections and its increasing focus on democratization;

"13. Takes note of the guidelines for Member States considering the formulation of requests for electoral assistance, contained in annex III to the report of the Secretary-General; 14/

"14. Recommends that the Secretary-General, taking into account the coordinating role of the High Commissioner for Human Rights in this regard, consider ways to continue to improve coordination and to strengthen further the efforts of the Electoral Assistance Division, the Centre for Human Rights and the United Nations system in general to respond to its increased responsibilities and enlarged mandate in the field of electoral assistance and democratization as reflected in the present resolution, and to include his recommendations in this regard in his report to the General Assembly at its fiftieth session;

"15. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of resolution 48/131 and the present resolution, in particular on the status of requests from Member

States for electoral assistance and verification, and on his efforts to enhance the Organization's support of the democratization process in Member States."

47. At the same meeting, the representative of the United States of America orally revised the draft resolution as follows:

(a) After the sixth preambular paragraph, a new paragraph was inserted, which read:

"Welcoming the support provided by States to the electoral assistance activities of the United Nations, inter alia through the provision of experts and electoral observers, as well as through contributions to the United Nations Trust Fund for Electoral Observation";

(b) In operative paragraph 5, the word "sustainability" was replaced with the words "stability and continuity";

(c) In operative paragraph 14, the words "taking into account the coordinating role of the High Commissioner for Human Rights in this regard" were deleted.

48. At its 64th meeting, on 13 December, the Committee had before it a revised draft resolution (A/C.3/49/L.51/Rev.1) submitted by the same sponsors and Belarus, subsequently joined by Andorra, Azerbaijan, El Salvador, Guatemala, Latvia, Liechtenstein, Malta, the Niger, Nigeria, Marshall Islands, Poland, Portugal, Sierra Leone, the former Yugoslav Republic of Macedonia and Uzbekistan.

49. At the same meeting, the representatives of Norway, Ireland, Cuba and China made statements (see A/C.3/49/SR.64).

50. Also at the same meeting, the Committee adopted revised draft resolution A/C.3/49/L.51/Rev.1 by a recorded vote of 142 to none, with 14 abstentions (see para. 68, draft resolution XII). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Canada, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand

Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Samoa, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Zambia.

Against: None.

Abstaining: China, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Iraq, Libyan Arab Jamahiriya, Myanmar, Sudan, Swaziland, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zimbabwe.

M. Draft resolution A/C.3/49/L.54

51. At the 62nd meeting, on 10 December, the representative of Finland, on behalf of Albania, Andorra, Australia, Austria, Belgium, Benin, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Cyprus, the Czech Republic, Denmark, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Greece, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, the Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Summary or arbitrary executions" (A/C.3/49/L.54). Subsequently, Cambodia, Cape Verde, Georgia and Uzbekistan joined in sponsoring the draft resolution.

52. At its 63rd meeting, on 12 December, the Committee adopted draft resolution A/C.3/49/L.54 without a vote (see para. 68, draft resolution XIII).

N. Draft resolution A/C.3/49/L.56

53. At the 62nd meeting, on 10 December, the representative of Austria, on behalf of Albania, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Benin, Bosnia and Herzegovina, Cambodia, Canada, Croatia, Cyprus, Denmark, El Salvador, Estonia, Ethiopia, Finland, Greece, Guatemala, Hungary, Iceland, Israel, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Malta, Malawi, the Marshall Islands, Mauritius, Morocco, Nepal, Nicaragua, Norway, Panama, Poland, the Republic of Korea, the Russian Federation, Slovakia, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, Ukraine and the United States of America, introduced a draft resolution entitled "Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities" (A/C.3/49/L.56). Subsequently, Costa Rica, Gabon, the

Gambia, Georgia, India and Papua New Guinea joined in sponsoring the draft resolution.

54. At its 63rd meeting, on 12 December, the Committee adopted draft resolution A/C.3/49/L.56 without a vote (see para. 68, draft resolution XIV).

55. After the adoption of the draft resolution, the representative of Turkey made a statement (see A/C.3/49/SR.63).

O. Draft resolution A/C.3/49/L.57

56. At the 62nd meeting, on 10 December, the representative of France, on behalf of Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Luxembourg, Madagascar, Mauritius, the Netherlands, Norway, Portugal, the Republic of Moldova, Romania, the Russian Federation, Senegal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland, subsequently joined by Angola, Cambodia, Cuba, the Czech Republic and New Zealand, introduced a draft resolution entitled "Question of enforced or involuntary disappearances" (A/C.3/49/L.57).

57. At the 66th meeting, on 14 December, the representative of France orally revised the draft resolution as follows:

(a) Operative paragraph 10, which had read:

> "10. Welcomes the action taken by non-governmental organizations to encourage implementation of the Declaration and invites them to consider what more they could do to facilitate its implementation and dissemination and to contribute to the work of the Subcommission on Prevention and Discrimination and Protection of Minorities"

was revised to read:

> "10. Notes the action taken by non-governmental organizations to encourage implementation of the Declaration, and invites them to continue to facilitate its dissemination and to contribute to the work of the Subcommission on Prevention of Discrimination and Protection of Minorities";

(b) In operative paragraph 20, the word "extend" was replaced with the words "consider extending".

58. At the same meeting, the Committee adopted draft resolution A/C.3/49/L.57, as orally revised, without a vote (see para. 68, draft resolution XV).

P. Draft resolutions A/C.3/49/L.59 and Rev.1

59. At the 62nd meeting, on 10 December, the representative of Brazil, on behalf of Australia, Botswana, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Greece, Israel, Paraguay, Peru, Uruguay and Venezuela, introduced a draft resolution entitled "Strengthening of the rule of law" (A/C.3/49/L.59), which read as follows:

"The General Assembly,

"Recalling that the achievement of international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without any distinction as to race, sex, language and religion is one of the purposes of the United Nations,

"Firmly convinced that, as stressed in the Universal Declaration of Human Rights, 15/ the rule of law is an essential factor in the protection of human rights,

"Convinced that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

"Recognizing the importance of the role that can be played by the Centre for Human Rights of the Secretariat in supporting national efforts to strengthen the institutions of the rule of law,

"Recalling the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations and under the coordination of the Centre for Human Rights with a view to helping States in the task of building and strengthening adequate national structures which have a direct impact on the overall observance of human rights and the maintenance of the rule of law, 16/

"Recalling also its resolution 48/132 of 20 December 1993, as well as Commission on Human Rights resolution 1994/50 of 4 March 1994, 17/

"1. Welcomes the report of the Secretary-General submitted in conformity with resolution 48/132; 18/

15/ Resolution 217 A (III).

16/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III, sect. II, para. 69.

17/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

18/ A/49/512.

"2. Takes note with interest of the proposals contained therein for strengthening the programme of advisory services and technical assistance of the Centre for Human Rights of the Secretariat in order to comply fully with the recommendations of the World Conference on Human Rights concerning assistance to States in strengthening their institutions of the rule of law;

"3. Praises the efforts made by the Centre for Human Rights in order to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

"4. Expresses its concern that the programme of advisory services and technical cooperation does not have either the financial capacity or the staff to respond to the requests for project funds submitted to it, nor to carry out further programme development;

"5. Notes that the programme has been unable to provide substantial financial assistance for capital assistance needs that have a direct impact on the realization of human rights and the maintenance of the rule of law;

"6. Requests the Secretary-General and the United Nations High Commissioner for Human Rights to explore the possibilities of obtaining from the financial institutions of the United Nations system the necessary financial support for capital assistance needs for technical and financial assistance to national projects in reforming penal and correctional establishments, education and training of lawyers, judges and security forces in human rights, and any other sphere of activities relevant to the good functioning of the rule of law;

"7. Endorses the proposal of the Secretary-General that, in all United Nations activities in areas that touch on human rights and the rule of law, due attention should be given to the coordinating and substantive role of the High Commissioner for Human Rights and the Centre for Human Rights;

"8. Requests the Secretary-General to submit a report to the General Assembly at its fiftieth session on the results of the contacts he may establish in accordance with paragraph 6 above, as well as on any other developments pertaining to the implementation of the recommendation of the World Conference on Human Rights contained in paragraph 69 of section II of the Vienna Declaration and Programme of Action."

60. In introducing the draft resolution, the representative of Brazil orally revised it as follows:

(a) The first preambular paragraph was revised to read:

"Recalling that, by adopting the Universal Declaration of Human Rights, Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms";

(b) In the third preambular paragraph, the word "also" was added after the word "Convinced";

(c) Operative paragraph 4 was revised to read:

"4. Expresses its deep concern at the scarcity of means at the disposal of the Centre for Human Rights in order to fulfil its tasks";

(d) Operative paragraph 5 was revised to read:

"5. Notes that the programme of advisory services and technical cooperation does not count on capital assistance funds to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends but which face economic hardship";

(e) Operative paragraph 6 was revised to read:

"6. Requests the Secretary-General to explore the possibilities of obtaining the necessary capital assistance funds from the financial institutions of the United Nations system";

(f) Operative paragraph 7 was deleted;

(g) In operative paragraph 8, the word "also" was added after the word "Requests", and the paragraph was renumbered as operative paragraph 7.

61. At the 67th meeting, on 14 December, the Committee had before it a revised draft resolution (A/C.3/49/L.59/Rev.1) submitted by the same sponsors, as well as Angola, Argentina, Cape Verde, Côte d'Ivoire, the Dominican Republic, Gabon, Germany, Guatemala, Honduras, India, Panama, the Republic of Korea, the Russian Federation, South Africa, Suriname, the former Yugoslav Republic of Macedonia and Zambia.

62. At the same meeting, the representative of Brazil orally revised the revised draft resolution as follows:

(a) In operative paragraph 5, the words "count on capital" were replaced with the word "have", and the word "sufficient" was inserted after the words "assistance funds";

(b) Operative paragraph 6, which had read:

"6. Requests the Secretary-General to explore the possibilities of obtaining the necessary capital assistance funds from the financial institutions of the United Nations system"

was revised to read:

"6. Requests the Secretary-General to explore the possibilities of obtaining from all relevant institutions of the United Nations system,

including financial institutions, acting within their mandates, technical and financial assistance to strengthen the realization of human rights and the maintenance of the rule of law".

63. At the same meeting, the Committee adopted revised draft resolution A/C.3/49/L.59/Rev.1, as orally revised, without a vote (see para. 68, draft resolution XVI).

Q. Draft resolution A/C.3/49/L.60

64. At the 62nd meeting, on 10 December, the representative of Greece, on behalf of Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cameroon, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Mauritius, Micronesia (Federated States of), Monaco, Morocco, the Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Paraguay, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Rwanda, Senegal, Slovakia, Slovenia, Spain, Suriname, Sweden, Tunisia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela, subsequently joined by Antigua and Barbuda, Barbados, Burundi, Cambodia, Cape Verde, Côte d'Ivoire, Fiji, the Gambia, Guyana, Kenya, Mongolia, Namibia, Nigeria, Papua New Guinea, Sierra Leone, South Africa, the former Yugoslav Republic of Macedonia and the United States of America, introduced a draft resolution entitled "Strengthening of the Centre for Human Rights of the Secretariat" (A/C.3/49/L.60). In introducing the draft resolution, the representative of Greece orally revised it as follows: in the second preambular paragraph, the words "of high importance to" were replaced with the words "a priority activity of".

65. At its 66th meeting, on 14 December, the Committee adopted draft resolution A/C.3/49/L.60, as orally revised, without a vote (see para. 68, draft resolution XVII).

66. After the adoption of the draft resolution, statements were made by the representatives of Japan and Greece (see A/C.3/49/SR.66).

R. Draft decision

67. At its 67th meeting, on 14 December, on the proposal of the Chairman, the Committee adopted a draft decision, without a vote, by which the General Assembly would take note of the report of the Secretary-General on respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes (A/49/410) (see para. 69).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

68. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights, 19/ the International Covenant on Civil and Political Rights, 20/ the International Covenant on Economic, Social and Cultural Rights 20/ and other human rights instruments adopted by the United Nations,

Considering the relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, 21/

Recalling its resolutions 44/148 of 15 December 1989, 44/212 of 22 December 1989 and 45/199 of 21 December 1990, and other relevant resolutions,

Bearing in mind Commission on Human Rights resolutions 1992/11 of 21 February 1992 22/ and 1993/13 of 26 February 1993, 23/ as well as resolution 1993/35 of 25 August 1993 of the Subcommission on Prevention of Discrimination and Protection of Minorities, 24/

Bearing in mind also Commission on Human Rights resolution 1994/12 of 25 February 1994, 25/ in which the Commission drew the attention of the General Assembly to the contradiction between the existence of situations of extreme poverty and social exclusion, which must be overcome, and the duty to guarantee the full enjoyment of human rights,

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19/ Resolution 217 A (III).

20/ See resolution 2200 A (XXI), annex.

21/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

22/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

23/ Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

24/ See E/CN.4/1994/2-E/CN.4/Sub.2/1993/45, chap. II, sect. A.

25/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

Recalling its resolution 47/134 of 18 December 1992, in which it reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and stressed the need for a complete and in-depth study of extreme poverty, based on the experience and the thoughts of the poorest,

Recognizing that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and, in some situations, might constitute a threat to the right to life,

Deeply concerned that extreme poverty continues to spread in all countries of the world, regardless of their economic, social and cultural situation, and seriously affects the most vulnerable and disadvantaged individuals, families and groups, who are thus hindered in the exercise of their human rights and their fundamental freedoms,

Recognizing that the elimination of widespread poverty and the full enjoyment of economic, social and cultural rights are interrelated goals,

Recognizing also the work undertaken by the Special Rapporteur, and taking into account his preliminary report on human rights and extreme poverty,

Affirming the importance of the forthcoming World Summit on Social Development, to be held at Copenhagen in March 1995, which will address, among the core issues affecting all societies, the alleviation and reduction of poverty,

1. Reaffirms that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. Reaffirms also that, in accordance with the Vienna Declaration and Programme of Action, it is essential for States to foster participation by the poorest people in the decision-making process in their communities, in the promotion of human rights and in efforts to combat extreme poverty;

3. Expresses its satisfaction that the Commission on Human Rights, in its resolution 1994/12, invited the Special Rapporteur to continue to give special attention to the following aspects in preparing his reports:

(a) The effects of extreme poverty on the enjoyment and exercise of all human rights and fundamental freedoms of those affected by it;

(b) Efforts by the poorest themselves to exercise their rights and participate fully in the development of the society in which they live;

(c) Conditions in which the poorest can convey their experiences and ideas and become partners in the enjoyment of human rights;

(d) Means of promoting a better understanding of the experiences and ideas of the poorest and those committed to working alongside them;

4. Again calls upon States, the specialized agencies, United Nations bodies and other international organizations, including intergovernmental organizations, to give the necessary attention to this problem;

5. Notes with appreciation the specific action taken by the United Nations Children's Fund to mitigate the effects of extreme poverty on children and the efforts of the United Nations Development Programme to give priority to the search for some means of alleviating poverty within the framework of the relevant resolutions, and urges them to continue in this work;

6. Decides to consider this question further at its fifty-first session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

DRAFT RESOLUTION II

Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

The General Assembly,

Reaffirming the purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Recalling further the principle enshrined in Article 2, paragraph 7, of the Charter of the United Nations, which establishes that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

Reaffirming the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and for liberation from colonial and foreign domination, and for the establishment of a society in which people, irrespective of race, colour or creed, will fully enjoy economic, social, cultural, civil and political rights on a basis of equality and participate freely in the determination of their destiny,

Reaffirming also, in this context, the right of the Palestinian people to self-determination,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Recognizing also that there is no single political system or single model for electoral processes equally suited to all nations and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

Convinced that the establishment of the necessary mechanisms and means to guarantee full and effective popular participation in electoral processes corresponds to States,

Recalling all its resolutions in this regard,

Welcoming the Vienna Declaration and Programme of Action, 26/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, in which the Conference reaffirmed that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right in accordance with the provisions of the Charter;

2. Reaffirms that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitution and national legislation, and that, consequently, States should establish the necessary mechanisms and means to guarantee full and effective popular participation in those processes;

3. Reaffirms also that any activities that attempt, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that are intended to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

4. Reaffirms further that there is no universal need for the United Nations to provide electoral assistance to Member States, except in special circumstances such as cases of decolonization, in the context of regional or international peace processes or at the request of specific sovereign States, by virtue of resolutions adopted by the Security Council or the General Assembly in

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26/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

each case, in strict conformity with the principles of sovereignty and non-interference in the internal affairs of States;

5. Urges all States to respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social systems;

6. Strongly appeals to all States to refrain from financing or providing, directly or indirectly, any other form of overt or covert support for political parties or groups and from taking actions to undermine the electoral processes in any country;

7. Condemns any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

8. Reaffirms the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly of the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to determine their political, economic and social systems, without interference;

9. Calls upon the Commission on Human Rights to continue to give priority to the review of the fundamental factors that negatively affect the observance of the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes and to report to the General Assembly at its fiftieth session, through the Economic and Social Council;

10. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution, under the item entitled "Human rights questions".

DRAFT RESOLUTION III

Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and the equal rights of men and women and of nations large and small, and its determination to promote social progress and better standards of living in greater freedom,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human

rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling that, in accordance with Article 55 of the Charter of the United Nations, the Organization shall promote universal respect for and observance of human rights and fundamental freedoms for all, with a view to the creation of conditions of stability and well-being that are necessary for peaceful and friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples and that, in accordance with Article 56, all Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55,

Reiterating that Member States should continue to act in the human rights field in conformity with the provisions of the Charter,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter, as well as the Universal Declaration of Human Rights, 27/ the International Covenants on Human Rights 28/ and other relevant instruments,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Reaffirming all its resolutions in this regard,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, 29/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Aware of the fact that the promotion, protection and full exercise of all human rights and fundamental freedoms as legitimate concerns of the world

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27/ Resolution 217 A (III).

28/ Resolution 2200 A (XXI), annex.

29/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

community should be guided by the principles of universality, non-selectivity, impartiality and objectivity and should not be used for political ends,

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, 27/ the International Covenant on Civil and Political Rights, 27/ and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. Considers that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Affirms that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity, and should not be used for political ends;

6. Requests all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. Stresses, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. Invites Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. Invites the Commission on Human Rights to continue to examine ways and means to strengthen United Nations action in this regard on the basis of the present resolution and of Commission resolution 1993/59 of 9 March 1993; 30/

11. Decides to consider this matter at its fiftieth session under the item entitled "Human rights questions".

DRAFT RESOLUTION IV

Respect for the universal freedom of travel and the vital importance of family reunification

The General Assembly,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights, 31/

Stressing that, as stated in the Programme of Action adopted by the International Conference on Population and Development, held at Cairo from 5 to 13 September 1994, 32/ family reunification of documented migrants is an important factor in international migration, and that financial remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

1. Calls upon all States to ensure the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

30/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

31/ Resolution 217 A (III).

32/ A/CONF.171/13, chap. I, resolution I, annex.

2. Reaffirms that all Governments, particularly those of receiving countries, must recognize the vital importance of family reunification and promote its integration into their national legislation in order to ensure the protection of the unity of the families of documented migrants;

3. Calls upon all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to their relatives in the country of origin;

4. Also calls upon all States to discourage and reverse legislation that adversely affects the family reunification of documented migrants and the transfer of financial remittances;

5. Requests the Commission on Human Rights to consider this issue at its fifty-first session.

DRAFT RESOLUTION V

Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development, 33/ which it proclaimed at its forty-first session,

Recalling its resolutions 45/97 of 14 December 1990, 46/123 of 17 December 1991, 47/123 of 18 December 1992 and 48/130 of 20 December 1993, and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1994/21 of 1 March 1994, 34/

Recalling also the report on the Global Consultation on the Realization of the Right to Development as a Human Right, 35/

Recalling further the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992, 36/

33/ Resolution 41/128, annex.

34/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

35/ E/CN.4/1990/9/Rev.1.

36/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex I.

Mindful that the Commission on Human Rights continues to consider this matter, which is directed towards the implementation and further enhancement of the right to development,

Recognizing the need to provide adequate resources to the Centre for Human Rights of the Secretariat to support the work of the Working Group on the Right to Development,

Noting the need for coordination and cooperation throughout the United Nations system for the more effective promotion of the right to development,

Recognizing that the United Nations High Commissioner for Human Rights and the Centre for Human Rights have important roles to play in the promotion and protection of the right to development,

Reaffirming the need for action at the national and international levels by all Member States to realize all human rights, and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Welcoming the Vienna Declaration and Programme of Action, 37/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, which reaffirms the right to development as a universal and inalienable right and an integral part of all fundamental human rights and reaffirms that the human person is the central subject of development,

Recalling that the Vienna Declaration examined the relationship between democracy, development and human rights, and recognizing the importance of creating a favourable environment in which everyone may enjoy their human rights as set out in the Vienna Declaration and Programme of Action,

Recalling also that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Noting that aspects of the Programme of Action adopted by the International Conference on Population and Development, held at Cairo from 5 to 13 September 1994, 38/ are relevant to the universal realization of the right to development,

Welcoming the convening of the World Summit for Social Development, the Fourth World Conference on Women and the United Nations Conference on Human Settlements (Habitat II), and affirming that those conferences constitute

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37/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

38/ See A/CONF.171/13, chap. I, resolution 1, annex.

important international steps towards the realization of the right to development, within the context of promoting and protecting all human rights,

Taking note with appreciation of the continuing work of the Working Group on the Right to Development during its three sessions, held at Geneva, from 8 to 19 November 1993, from 2 to 12 May 1994 and from 3 to 14 October 1994,

Having considered the report of the Secretary-General on the right to development, prepared pursuant to General Assembly resolution 48/130, 39/

1. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries;

2. Takes note of the comprehensive report of the Secretary-General on the right to development; 39/

3. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-first session a report on the implementation of Commission resolution 1994/21;

4. Calls upon the Commission on Human Rights to consider carefully the reports of the Working Group on the Right to Development and to request the Working Group, in fulfilling its mandate, to continue to examine and sustain attention to all the various aspects of the right to development, with a view to making recommendations for enhancing the universal realization of the right to development, through, inter alia, the implementation of the provisions of the Declaration on the Right to Development, reaffirmed by the Vienna Declaration and Programme of Action;

5. Requests the Centre for Human Rights of the Secretariat to continue to be forthcoming in providing adequate services and logistical support to the Working Group on the Right to Development to ensure the smooth functioning of its meetings;

6. Requests the Secretary-General to continue coordination of the various activities with regard to the implementation of the Declaration on the Right to Development;

7. Also requests the Secretary-General to ask the Centre for Human Rights to provide a programmatic follow-up on the implementation of the Declaration on the Right to Development, as part of the efforts to implement the Vienna Declaration and Programme of Action;

8. Requests the United Nations High Commissioner for Human Rights, within his mandate, to continue to take steps for the promotion and protection of the right to development by, inter alia, working in conjunction with the Centre for Human Rights and drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development;

39/ A/49/653.

9. Supports the current initiatives of the United Nations High Commissioner for Human Rights, within his mandate, to consult with all relevant bodies, funds, programmes and specialized agencies of the United Nations system on how they may promote the right to development;

10. Invites the regional commissions and regional intergovernmental organizations to consider how they may contribute to the realization of the right to development, including through convening meetings of governmental experts and representative non-governmental and grass-roots organizations for the purpose of seeking arrangements or agreements for the implementation of the Declaration on the Right to Development through international cooperation;

11. Requests the Secretary-General to inform the Commission on Human Rights at its fifty-first session and the General Assembly at its fiftieth session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system on the implementation of the Declaration;

12. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right and the reports of the Working Group on the Right to Development;

13. Reiterates its commitment to implementing the results of the World Conference on Human Rights, which reaffirm that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

14. Calls upon States Members of the United Nations to address, within the declaration and programme of action to be adopted by the World Summit for Social Development and the United Nations Conference on Human Settlements (Habitat II), as well as the platform of action to be adopted by the Fourth World Conference on Women, the elements for the promotion and protection of the principles of the right to development, as set out in the Declaration on the Right to Development;

15. Decides to consider this question at its fiftieth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

DRAFT RESOLUTION VI

United Nations Decade for Human Rights Education

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, 40/

Reaffirming article 26 of the Universal Declaration of Human Rights, according to which "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms",

Recalling the provisions of other international human rights instruments, such as those of article 13 of the International Covenant on Economic, Social and Cultural Rights 41/ and article 28 of the Convention on the Rights of the Child, 42/ that reflect the aims of the aforementioned article,

Taking into account Commission on Human Rights resolution 1993/56 of 9 March 1993, 43/ in which the Commission recommended that knowledge of human rights, both in its theoretical dimension and in its practical application, should be established as a priority in educational policies,

Considering Commission on Human Rights resolution 1994/51 of 4 March 1994, 44/ in which the Commission encouraged the United Nations High Commissioner for Human Rights to include among his specific objectives a plan of action for the United Nations decade for human rights education and invited the Secretary-General to submit to the General Assembly at its forty-ninth session, through the Economic and Social Council a plan of action for a decade for human rights education,

Convinced that human rights education should involve more than the provision of information and should constitute a comprehensive life-long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Convinced also that human rights education contributes to a concept of development consistent with the dignity of women and men of all ages that takes

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40/ Resolution 217 A (III).

41/ Resolution 2200 A (XXI), annex.

42/ Resolution 44/25, annex.

43/ Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

44/ Ibid., 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

into account the diverse segments of society such as children, indigenous peoples, minorities and disabled persons,

Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the United Nations Children's Fund,

Convinced that each woman, man and child, to realize their full human potential, must be made aware of all their human rights - civil, cultural, economic, political and social,

Believing that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and ensuring equal opportunities through the promotion and protection of the human rights of women,

Considering the World Plan of Action on Education for Human Rights and Democracy, 45/ adopted by the International Congress on Education for Human Rights and Democracy convened by the United Nations Educational, Scientific and Cultural Organization at Montreal from 8 to 11 March 1993, and the statement by the Congress that education for human rights and democracy is itself a human right and a prerequisite for the realization of human rights, democracy and social justice,

Recalling that it is the responsibility of the United Nations High Commissioner for Human Rights to coordinate relevant United Nations education and public information programmes in the field of human rights, 46/

Taking note of the report of the United Nations High Commissioner for Human Rights, 47/ in which he declared that human rights education is essential for the encouragement of harmonious inter-community relations, for mutual tolerance and understanding and finally for peace,

Aware of the experience in human rights education of United Nations peace-building operations, including the United Nations Observer Mission in El Salvador and the United Nations Transitional Authority in Cambodia,

Bearing in mind the Vienna Declaration and Programme of Action, 48/ adopted by the World Conference on Human Rights at Vienna on 25 June 1993, in particular section II, paragraphs 78 to 82,

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45/ See A/CONF.157/PC/42/Add.6.

46/ Resolution 48/141, para. 4 (e).

47/ A/49/36, para. 94.

48/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

1. Takes note with appreciation of the report of the Secretary-General on human rights education, submitted in accordance with the request contained in General Assembly resolution 48/127 of 20 December 1993; 49/

2. Proclaims the ten-year period beginning on 1 January 1995 the United Nations Decade for Human Rights Education;

3. Welcomes the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2005, as contained in the report of the Secretary-General, 50/ and invites Governments to submit comments, with a view to supplementing the Plan of Action for the Decade;

4. Invites the Secretary-General to submit proposals, taking into account the views expressed by Governments, for the purpose indicated in paragraph 3;

5. Appeals to all Governments to contribute to the implementation of the Plan of Action and to step up their efforts to eradicate illiteracy and to direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms;

6. Urges governmental and non-governmental educational agencies to intensify their efforts to establish and implement programmes of human rights education, as recommended in the Plan of Action, in particular by preparing and implementing national plans for human rights education;

7. Requests the United Nations High Commissioner for Human Rights to coordinate the implementation of the Plan of Action;

8. Requests the Centre for Human Rights of the Secretariat and the Commission on Human Rights, in cooperation with Member States, human rights treaty-monitoring bodies, other appropriate bodies and competent non-governmental organizations, to support efforts of the United Nations High Commissioner for Human Rights to coordinate the Plan of Action;

9. Requests the Secretary-General to consider establishing a voluntary fund for human rights education, with special provision for the support of the human rights education activities of non-governmental organizations, to be administered by the Centre for Human Rights of the Secretariat;

10. Invites the specialized agencies and United Nations programmes to contribute, within their respective spheres of competence, to the implementation of the Plan of Action;

11. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community and to intergovernmental and non-governmental organizations concerned with human rights and education;

49/ A/49/261 and Add.1.

50/ A/49/261/Add.1, annex.

12. Calls upon international, regional and national non-governmental organizations, in particular those concerned with women, labour, development and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to increase their involvement in formal and non-formal education in human rights and to cooperate with the Centre for Human Rights in implementing the United Nations Decade for Human Rights Education;

13. Requests the existing human rights monitoring bodies to place emphasis on the implementation by Member States of their international obligation to promote human rights education;

14. Decides to consider this matter at its fiftieth session under the item entitled "Human rights questions".

DRAFT RESOLUTION VII

Human rights and terrorism

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 51/ and the International Covenants on Human Rights, 52/

Bearing in mind that the most essential and basic human right is the right to life,

Recalling the Vienna Declaration and Programme of Action, 53/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Recalling also its resolution 48/122 of 20 December 1993,

Taking note of Commission on Human Rights resolution 1994/46 of 4 March 1994 54/ and Subcommission on Prevention of Discrimination and Protection of Minorities resolution 1994/18 of 25 August 1994,

Reiterating that all Member States have an obligation to promote and protect human rights and fundamental freedoms, and also that every individual

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51/ Resolution 217 A (III).

52/ Resolution 2200 A (XXI), annex.

53/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

54/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

should strive to secure their universal and effective recognition and observance,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and the illegal traffic in arms and drugs, as well as the consequent commission of serious crimes such as murder, kidnapping, assault and robbery,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant international human rights principles and instruments, particularly the right to life,

1. Reiterates its unequivocal condemnation of all acts, methods and practices of terrorism, as activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of States;

2. Expresses its solidarity with the victims of terrorism;

3. Calls upon States to take all necessary and effective measures in accordance with international standards of human rights, to prevent, combat and eliminate all acts of terrorism wherever and by whomever committed, and urges the international community to enhance cooperation in the fight against the threat of terrorism at national, regional and international levels;

4. Requests the Secretary-General to seek the views of Member States on the possible establishment of a United Nations voluntary fund for victims of terrorism and to submit to the General Assembly at its fiftieth session, for its consideration, a report containing comments made by Member States on the subject;

5. Also requests the Secretary-General to transmit the text of the present resolution to all Member States and to competent specialized agencies and intergovernmental organizations for their consideration;

6. Encourages special rapporteurs, special representatives and working groups of the Commission on Human Rights, as well as treaty bodies, to pay appropriate attention, within their mandates, to the consequences of the acts, methods and practices of terrorist groups;

7. Decides to consider this question at its fiftieth session under the item entitled "Human rights questions".

DRAFT RESOLUTION VIII

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

The General Assembly,

Recalling that in the Charter of the United Nations the peoples of the United Nations declared their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Recalling also that one of the purposes of the United Nations, as set forth in the Charter, is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Emphasizing the significance and validity of the Universal Declaration of Human Rights 55/ and of the International Covenants on Human Rights 56/ in promoting respect for and observance of human rights and fundamental freedoms,

Recalling further its resolution 32/130 of 16 December 1977, in which it decided that the approach to future work within the United Nations system with respect to human rights questions should take into account the concepts set forth in that resolution,

Emphasizing the special importance of the purposes and principles proclaimed in the Declaration on the Right to Development, contained in the annex to its resolution 41/128 of 4 December 1986,

Reaffirming that the implementation of the right to development is an indispensable element in the process of creating the appropriate conditions for the full enjoyment and preservation of all human rights and fundamental liberties,

Taking into account the final documents of the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992, 57/

55/ Resolution 217 A (III).

56/ Resolution 2200 A (XXI), annex.

57/ See A/47/675-S/24816; see Official Records of the Security Council, Forty-seventh Year, Supplement for October, November and December 1992, document S/24816.

Reiterating that the right to development is an inalienable human right and that equality of development opportunities is a prerogative both of nations and of individuals within nations,

Expressing its particular concern about the progressive worsening of living conditions in the developing world and the negative impact thereof on the full enjoyment of human rights, and especially about the very serious economic situation of the African continent and the disastrous effects of the heavy burden of the external debt for the peoples of Africa, Asia and Latin America and the Caribbean,

Reiterating its profound conviction that all human rights and fundamental freedoms are indivisible, interdependent and interrelated and that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights,

Deeply convinced that, today more than ever, economic and social development and human rights are complementary elements leading to the same goal, that is, the maintenance of peace and justice among nations as the foundation for the ideals of freedom and well-being to which mankind aspires,

Reiterating that cooperation among all nations on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, is essential for the promotion of peace and development,

Reiterating also the importance of unconditional international cooperation for the attainment of the right to development,

Considering that the efforts of the developing countries to promote their own development should be supported by an increased flow of resources and by the adoption of appropriate and substantive measures for creating an external environment conducive to such development,

1. Reiterates its request that the Commission on Human Rights continue its current work on overall analysis with a view to further promoting and strengthening human rights and fundamental freedoms, including the question of the programme and working methods of the Commission, and on the overall analysis of the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms in accordance with the provisions and ideas set forth in General Assembly resolution 32/130;

2. Affirms that a primary aim of international cooperation in the field of human rights is a life of freedom, dignity and peace for all peoples and for every human being, that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from promoting and protecting the others;

3. Notes that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, identified the situations and obstacles which affect the full enjoyment of human rights;

4. Reaffirms that the right to development is an inalienable human right;

5. Reaffirms also that international peace and security are essential elements for achieving the full realization of the right to development;

6. Considers it necessary for all Member States to promote international cooperation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, with a view to solving international economic, social and humanitarian problems;

7. Urges all States to cooperate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms;

8. Decides that the approaches to future work within the United Nations system on human rights matters should take into account the content of the Declaration on the Right to Development and the need for the implementation thereof;

9. Decides to consider this question at its fifty-first session.

DRAFT RESOLUTION IX

Development of public information activities in the field of human rights

The General Assembly,

Reaffirming that activities to improve public knowledge in the field of human rights are essential to the fulfilment of the purposes of the United Nations set out in Article 1, paragraph 3, of the Charter of the United Nations and that carefully designed programmes of teaching, education and information are essential to the achievement of lasting respect for human rights and fundamental freedoms,

Recalling the relevant resolutions adopted by the General Assembly and the Commission on Human Rights,

Recognizing the catalytic effect of initiatives of the United Nations on national and regional public information activities in the field of human rights,

Recognizing also the valuable role that non-governmental organizations can play in those endeavours,

Believing that the World Public Information Campaign for Human Rights is a valuable complement to the activities of the United Nations aimed at the further promotion and protection of human rights, and recalling the importance attached by the World Conference on Human Rights to strengthening the Campaign,

Welcoming the appointment of the United Nations High Commissioner for Human Rights with the function, inter alia, of coordinating relevant United Nations

education and public information programmes in the field of human rights, in accordance with General Assembly resolution 48/141 of 20 December 1993,

Recognizing that the Department of Public Information of the Secretariat is the focal point for elaborating, coordinating and harmonizing United Nations policies and activities in the field of information, in accordance with General Assembly resolution 48/44 B of 10 December 1993,

1. Takes note with appreciation of the report of the Secretary-General on the development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights; 58/

2. Appreciates the measures taken by the Department of Public Information and the Centre for Human Rights of the Secretariat to ensure the further production and effective dissemination of human rights information materials in cooperation with regional, national and local organizations, as well as with Governments;

3. Notes with appreciation the dissemination by the Department of Public Information and the Centre for Human Rights of the Secretariat of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, 59/ and of information on follow-up activities;

4. Requests the Centre for Human Rights, in cooperation with the Department of Public Information, to finalize its comprehensive review of the programme of information and publications in the field of human rights, including the elaboration of a new information strategy, and to make an assessment of the effectiveness of this programme, and encourages the Centre to continue its efforts towards streamlining and focusing its publications programme;

5. Encourages the Centre for Human Rights to continue the development of training courses and materials, including targeted training manuals for professional audiences, as well as the dissemination of human rights information materials as a component of technical assistance projects;

6. Welcomes the efforts of the Department of Public Information and the Centre for Human Rights to disseminate information on human rights by electronic means, including through the United Nations Bibliographic Information System;

7. Takes note of the database established by the Centre for Human Rights for the promotion of all aspects of human rights;

8. Urges the Department of Public Information to continue to utilize United Nations information centres for the purpose of timely dissemination, within their designated areas of activity, of basic information and reference

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58/ A/49/582.

59/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

materials on human rights and fundamental freedoms, including the reports of States parties under human rights instruments and, to this end, to ensure that United Nations information centres are supplied with adequate quantities of those materials;

9. Requests the Department of Public Information to continue to make use of the resources available for this purpose to produce audiovisual materials on human rights issues;

10. Requests the Secretary-General to take advantage, as much as possible, of the collaboration of non-governmental organizations in the implementation of the World Public Information Campaign for Human Rights, including in the dissemination of human rights materials;

11. Encourages all Member States to make special efforts to provide, facilitate and promote publicity for the activities of the United Nations in the field of human rights, including through support of United Nations information centres, to accord priority to the dissemination in their respective national and local languages of the Universal Declaration of Human Rights, 60/ the International Covenants on Human Rights 61/ and other international instruments, as well as reports under human rights instruments, and to provide information and education on the practical ways in which the rights and freedoms enjoyed under these instruments can be exercised;

12. Supports the recommendation contained in part II.D of the Vienna Declaration and Programme of Action that Member States develop specific programmes and strategies for ensuring the widest human rights education and the dissemination of public information, taking particular account of the human rights needs of women, and encourages Member States, in drawing up national action plans for the promotion and protection of human rights, to include broad-based education and public information programmes on human rights;

13. Calls upon the United Nations High Commissioner for Human Rights to coordinate and harmonize human rights information strategies within the United Nations system;

14. Calls upon the Centre for Human Rights to coordinate the substantive activities of the World Public Information Campaign for Human Rights pursuant to the direction of the General Assembly and the Commission on Human Rights, and to serve as liaison with Governments, regional and national institutions, non-governmental organizations and concerned individuals in the development and implementation of the activities of the Campaign;

15. Calls upon the Department of Public Information to coordinate the public information activities of the Campaign and, in its responsibility as secretariat to the Joint United Nations Information Committee, to promote coordinated system-wide information activities in the field of human rights;

60/ Resolution 217 A (III).

61/ Resolution 2200 A (XXI), annex.

16. Stresses the need for close cooperation between the Centre for Human Rights and the Department of Public Information in the implementation of the aims established for the Campaign and the need for the United Nations to harmonize the activities in the field of human rights with those of other organizations, including the International Committee of the Red Cross, with regard to the dissemination of information on international humanitarian law, and the United Nations Educational, Scientific and Cultural Organization, with regard to education for human rights;

17. Requests the Secretary-General to submit to the General Assembly at its fifty-first session a comprehensive report on the implementation of the present resolution for consideration under the item entitled "Human rights questions".

DRAFT RESOLUTION X

Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, in the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that these rights derive from the inherent dignity of the human person,

Welcoming the general comment 62/ of the Human Rights Committee on article 18 of the International Covenant on Civil and Political Rights,

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others,

Recalling article 18 of the International Covenant on Civil and Political Rights, 63/

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations,

Reaffirming also its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

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62/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 40 (A/48/40), annex VI.

63/ Resolution 2200 A (XXI), annex.

Recalling its resolution 48/128 of 20 December 1993, in which it requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

Recalling also Commission on Human Rights resolution 1994/18 of 25 February 1994, 64/

Reaffirming the call of the World Conference on Human Rights for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,

Recalling Commission on Human Rights resolution 1992/17 of 21 February 1992 65/ and Economic and Social Council decision 1992/226 of 20 July 1992, by which the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures, as appropriate, was extended for three years,

Calling upon all Governments to cooperate with the Special Rapporteur of the Commission on Human Rights, Mr. Abdelfattah Amor, to enable him to carry out his mandate fully,

Recognizing that it is desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain,

Emphasizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief,

Conscious of the importance of education in ensuring tolerance of religion and belief,

Welcoming the inclusion of events relating to tolerance and religious diversity among the activities to be undertaken during the United Nations Year for Tolerance, with the United Nations Educational, Scientific and Cultural Organization as the lead organization,

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64/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

65/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

Alarmed that serious instances, including acts of violence, of intolerance and discrimination on the grounds of religion or belief occur in many parts of the world,

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained,

Deeply concerned also at the increasing number of acts of violence, intimidation and coercion motivated by religious extremism in all its forms that, in many parts of the world, threaten the enjoyment of human rights and fundamental freedoms,

Reaffirming the dismay and condemnation expressed by the World Conference on Human Rights at the continued occurrence of gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of all human rights, including religious intolerance,

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. Urges States to ensure that their constitutional and legal systems provide full guarantees of freedom of thought, conscience, religion and belief to all without discrimination, including the provision of effective remedies in cases where the right to freedom of religion or belief is violated;

3. Urges States to ensure, in particular, that no one within their jurisdiction is, on account of their religion or belief, deprived of the right to life or the right to liberty and security of person, or subjected to torture or arbitrary arrest or detention;

4. Condemns all instances of hatred, intolerance and acts of violence, intimidation and coercion motivated by religious extremism and intolerance of religion or belief;

5. Urges States, in conformity with international standards of human rights, to take all necessary action to prevent such instances, to take all appropriate measures to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by religious extremism, and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief;

6. Recognizes that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief;

7. Emphasizes that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

8. Urges States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

9. Calls upon all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief, and to establish and maintain places for those purposes;

10. Expresses its grave concern at attacks upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert utmost efforts to ensure that such places, sites and shrines are fully respected and protected;

11. Recognizes that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;

12. Considers it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and to ensure that appropriate measures are taken to this end in the World Public Information Campaign for Human Rights;

13. Invites the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration, in all the official languages of the United Nations, and to take all appropriate measures to make the text available for use by United Nations information centres, as well as by other interested bodies;

14. Encourages the continued efforts on the part of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

15. Encourages Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

16. Recommends that the promotion and protection of the right to freedom of thought, conscience and religion be given appropriate priority in the work of the United Nations programme of advisory services in the field of human rights,

including with regard to the drafting of basic legal texts in conformity with international instruments on human rights and taking into account the provisions of the Declaration;

17. Welcomes the efforts of non-governmental organizations to promote the implementation of the Declaration;

18. Requests the Secretary-General to invite interested non-governmental organizations to consider what further role they could envisage playing in the implementation of the Declaration and in its dissemination in national and local languages;

19. Urges all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

20. Requests the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

21. Requests the Special Rapporteur of the Commission on Human Rights to submit an interim report to the General Assembly at its fiftieth session;

22. Decides to consider the question of the elimination of all forms of religious intolerance at its fiftieth session under the item entitled "Human rights questions".

DRAFT RESOLUTION XI

Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and all its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling also that, in its resolution 47/125 of 18 December 1992, the General Assembly requested the Secretary-General to submit to the Assembly at its forty-ninth session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of that resolution,

Recalling further Commission on Human Rights resolution 1993/51 of 9 March 1993 on regional arrangements for the promotion and protection of human rights, 66/

66/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

Recalling the relevant resolutions of the Commission on Human Rights concerning advisory services in the field of human rights, including its most recent resolution on that subject, 1994/69 of 9 March 1994, 67/

Bearing in mind the Vienna Declaration and Programme of Action, 68/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Reaffirming that regional arrangements play a fundamental role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments, and their protection,

Recalling that the World Conference on Human Rights reiterated the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

Having considered the report of the Secretary-General on regional arrangements for the promotion and protection of human rights, 69/

Noting the progress achieved so far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the specialized agencies and the regional intergovernmental organizations,

1. Takes note of the report of the Secretary-General;

2. Welcomes the continuing cooperation and assistance of the Centre for Human Rights of the Secretariat in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights, particularly in regard to advisory services and technical assistance, public information and education, with a view to exchanging any information and experience in the field of human rights;

3. Welcomes also, in that respect, the close cooperation given by the Centre for Human Rights in the organization of regional and subregional training courses or workshops in the field of human rights, aiming at creating greater understanding of the promotion and protection of human rights issues in the regions and at improving procedures and examining the various systems for the promotion and protection of the universally accepted human rights standards;

4. Stresses the importance of the programme of advisory services in the field of human rights, and renews its appeal to all Governments to consider making use of the possibilities offered by the United Nations, under this programme, of organizing information and/or training courses at the national

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67/ Ibid., 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

68/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

69/ A/49/321.

level for government personnel on the application of international human rights standards and the experience of relevant international bodies;

5. Requests the Secretary-General, as foreseen in the medium-term plan for the period 1992-1997, 70/ to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights, and welcomes, in this connection, the fact that the Centre for Human Rights will continue to organize national, regional and subregional workshops and training courses for government officials engaged in the administration of justice and in the implementation of the international human rights instruments and that more countries in all regions of the world are expected to develop forms of cooperation and assistance with the Centre, in keeping with their specific needs;

6. Invites States in areas where regional arrangements in the field of human rights do not yet exist to consider concluding agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights;

7. Requests the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations;

8. Requests the Secretary-General to submit to the General Assembly at its fifty-first session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the present resolution;

9. Decides to consider this question further at its fifty-first session.

DRAFT RESOLUTION XII

Strengthening the role of the United Nations in enhancing the effectiveness of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, especially resolutions 47/138 of 18 December 1992 and 48/131 of 20 December 1993, as well as the annex to Commission on Human Rights resolution 1989/51 of 7 March 1989, 71/

70/ See Official Records of the General Assembly, Forty-fifth Session, Supplement No. 6 (A/45/6/Rev.1), vol. II.

71/ See Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

Recalling also the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, especially the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance in the strengthening and building of institutions relating to human rights and the strengthening of a pluralistic civil society, and that special emphasis should be given to measures that assist in achieving those goals, 72/

Reaffirming that electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Recognizing the usefulness of a comprehensive and balanced approach in the activities carried out by the United Nations in this field in order to contribute to the strengthening of both democracy and human rights within the country concerned,

Welcoming the Colloquium on African Election Administration organized by the Electoral Assistance Division of the Department of Peace-keeping Operations of the Secretariat in cooperation with the Department for Development Support and Management Services and non-governmental organizations, held in Zimbabwe from 15 to 18 November 1994, with the goal of contributing to the democratization process in Africa,

Taking note of the Declaration on Criteria for Free and Fair Elections adopted by the Inter-Parliamentary Union on the occasion of its ninety-first conference, held in Paris in March 1994,

Welcoming the support provided by States to the electoral assistance activities of the United Nations, inter alia, through the provision of experts and electoral observers, as well as through contributions to the United Nations Trust Fund for Electoral Observation,

Having considered the report of the Secretary-General, 73/

Noting the continuing high level of requests for electoral assistance by Member States,

1. Takes note of the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections;

2. Commends the electoral assistance provided to Member States at their request by the United Nations, requests that such assistance continue on a

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72/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/27 (Part I)), chap. III, sect. II, para. 67.

73/ A/49/675 and Corr.1.

case-by-case basis in accordance with the proposed guidelines on electoral assistance, recognizing that the fundamental responsibility for ensuring free and fair elections lies with Governments, and also requests the Electoral Assistance Division to continue to inform Member States on a regular basis about the requests received, the responses given to those requests and the nature of the assistance provided;

3. Requests that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

4. Commends the steps taken by the United Nations to ensure the continuation and consolidation of the democratization process in certain Member States requesting assistance, including the provision of assistance before and after elections have taken place and needs-assessment missions aimed at recommending programmes which might contribute to the consolidation of the democratization process, and requests that such efforts be strengthened;

5. Recommends that the Electoral Assistance Division provide post-election assistance to States that so request, and to electoral institutions, in order to contribute to the stability and continuity of their electoral processes, as provided for in the report of the Secretary-General, and that it study, in cooperation with relevant United Nations offices, ways of defining more clearly the activities related to democratic consolidation which the United Nations might usefully undertake in assisting the efforts of interested States in this regard;

6. Requests the Secretary-General to take further steps to support States which request assistance by, inter alia, enabling the United Nations High Commissioner for Human Rights, in accordance with his mandate and through the Centre for Human Rights of the Secretariat, to support democratization activities as related to human rights concerns, including, inter alia, human rights training and education, assistance for human rights-related legislative reform, strengthening and reform of the judiciary, assistance to national human rights institutions and advisory services on treaty accession, reporting and international obligations as related to human rights;

7. Commends the programmes of assistance carried out by the United Nations Development Programme for civil service reform, for governance, and especially those for strengthening participation and linkages between concerned sectors of society and Governments;

8. Recalls the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

9. Stresses the importance of coordination within the United Nations system, commends the Centre for Human Rights for the advisory services and technical assistance it provides and the Department for Development Support and Management Services of the Secretariat and the United Nations Development

Programme for the technical assistance they provide to requesting Member States, and requests the Electoral Assistance Division to strengthen its collaboration with the Centre, including through an exchange of personnel when appropriate, and with the Department and the Programme and to inform them of requests submitted in the area of electoral assistance;

10. Recommends that the United Nations continue and strengthen its coordination of election preparation and observation with intergovernmental and non-governmental organizations which have an interest in such activities;

11. Requests the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources, under the regular budget of the Organization and within existing resources, to allow it to carry out its mandate, and to reinforce the Centre for Human Rights through the redeployment of resources and personnel, so as to enable it to respond, in close coordination with the Electoral Assistance Division, to the increasing number of requests from Member States for advisory services in the area of electoral assistance;

12. Recommends that, in connection with the commemoration of the fiftieth anniversary of the United Nations, special attention be paid to publicizing the Organization's successful efforts towards promoting genuine and periodic elections and its increasing focus on democratization;

13. Takes note of the guidelines for Member States considering the formulation of requests for electoral assistance, contained in annex III to the report of the Secretary-General; 73/

14. Recommends that the Secretary-General consider ways to continue to improve coordination and to strengthen further the efforts of the Electoral Assistance Division, the Centre for Human Rights and the United Nations system in general to respond to its increased responsibilities and enlarged mandate in the field of electoral assistance and democratization as reflected in the present resolution, and to include his recommendations in this regard in his report to the General Assembly at its fiftieth session;

15. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of resolution 48/131 and the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on his efforts to enhance the Organization's support of the democratization process in Member States.

DRAFT RESOLUTION XIII

Summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights, 74/ which guarantees the right to life, liberty and security of person,

Having regard to the provisions of the International Covenant on Civil and Political Rights, 75/ in which it is stated that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

Recalling its resolution 36/22 of 9 November 1981, in which it condemned the practice of summary and arbitrary executions, and its subsequent resolutions on the subject, most recently resolution 47/136 of 18 December 1992,

Mindful of the dismay and condemnation expressed by the World Conference on Human Rights at the continuing occurrence of gross and systematic violations of human rights, including summary and arbitrary executions,

Deeply alarmed at the continued occurrence on a large scale of summary or arbitrary executions, including extrajudicial executions,

Condemning especially violations of the right to life of minors and, in particular, children and adolescents without homes,

Recalling Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15, 76/

Welcoming the close cooperation established between the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat and the Committee

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74/ Resolution 217 A (III).

75/ See resolution 2200 A (XXI), annex.

76/ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. E.

on Crime Prevention and Control 77/ with regard to questions relating to extrajudicial, summary or arbitrary executions,

Convinced of the need for appropriate action to combat and eventually eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represents a flagrant violation of the most fundamental right, the right to life,

1. Once again strongly condemns the large number of extrajudicial, summary or arbitrary executions which continue to take place throughout the world;

2. Demands that the practice of summary or arbitrary executions be brought to an end;

3. Urgently appeals to Governments, United Nations bodies, the specialized agencies, regional intergovernmental organizations and non-governmental organizations to take effective action to combat and eliminate summary or arbitrary executions, including extrajudicial executions;

4. Reaffirms Economic and Social Council decision 1992/242 of 20 July 1992, in which the Council approved the decision of the Commission on Human Rights 78/ to appoint a special rapporteur for three years to consider the questions related to summary or arbitrary executions and also approved the Commission's request to the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur, and recommends that the Commission on Human Rights at its fifty-first session continue his mandate;

5. Strongly urges all Governments, in particular those that have consistently not responded to communications transmitted to them by the Special Rapporteur, and all others concerned to cooperate with and assist the Special Rapporteur so that he may carry out his mandate effectively;

6. Requests the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened, or when such an execution has recently occurred, and, furthermore, to promote exchanges of views between Governments and those who provide reliable information to the Special Rapporteur, where the Special Rapporteur considers that such exchanges of information might be useful;

7. Also requests the Special Rapporteur to continue, in his next report to pay special attention to extrajudicial, summary or arbitrary executions of children and women and to allegations concerning violations of the right to life

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77/ In its resolution 46/152 of 18 December 1991, the General Assembly requested the Economic and Social Council to dissolve the Committee on Crime Prevention and Control and establish the Committee on Crime Prevention and Criminal Justice.

78/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A, resolution 1992/72

in the context of violence against participants in demonstrations and other peaceful public manifestations or against persons belonging to national or ethnic, religious and linguistic minorities;

8. Welcomes the recommendations made by the Special Rapporteur in his reports to the Commission on Human Rights at its forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth and fiftieth sessions 79/ with a view to eliminating summary or arbitrary executions;

9. Encourages Governments, international organizations and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials, as well as members of the United Nations peace-keeping or observer missions, in human rights and humanitarian law issues connected with their work, and appeals to the international community to support endeavours to that end;

10. Urges the Special Rapporteur to continue to draw to the attention of the United Nations High Commissioner for Human Rights such situations of extrajudicial, summary and arbitrary executions as are of particularly serious concern to him or where early action might prevent further deterioration;

11. Requests the Special Rapporteur to continue to monitor the implementation of existing international standards on safeguards and restrictions relating to the imposition of capital punishment, bearing in mind the comments made by the Human Rights Committee in its interpretation of article 6 of the International Covenant on Civil and Political Rights, as well as the Second Optional Protocol thereto; 80/

12. Considers that the Special Rapporteur, in carrying out his mandate, should continue to seek and receive information from Governments, United Nations bodies, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, as well as medical and forensic experts;

13. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur and, in view of the increasing workload of the Special Rapporteur, to substantially increase, within existing resources, the human and material resources placed at his disposal, so that he may effectively carry out his mandate;

14. Again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights appears not to have been respected;

79/ E/CN.4/1988/22 and Add.1 and 2, E/CN.4/1989/25, E/CN.4/1990/22 and Corr.1 and Add.1, E/CN.4/1991/36, E/CN.4/1992/30 and Corr.1 and Add.1, E/CN.4/1993/46 and E/CN.4/1994/7 and Corr.1 and 2 and Add.1 and 2.

80/ Resolution 44/128, annex.

15. Requests the Commission on Human Rights at its fifty-first session, on the basis of the report of the Special Rapporteur, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

DRAFT RESOLUTION XIV

Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, in which it adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, as well as its resolution 48/138 of 20 December 1993,

Conscious of the need effectively to promote and protect the rights of persons belonging to minorities, as set out in the Declaration,

Welcoming Commission on Human Rights resolution 1994/22 of 1 March 1994 on the rights of persons belonging to national or ethnic, religious and linguistic minorities, 81/ in which the Commission, inter alia, requested the Secretary-General to present an analytical report at its next session,

Noting that Subcommission on Prevention of Discrimination and Protection of Minorities resolution 1994/4 of 19 August 1994 is to be considered by the Commission on Human Rights at its fifty-first session,

Aware of the provisions of article 27 of the International Covenant on Civil and Political Rights 82/ concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Acknowledging that the United Nations has an increasingly important role to play regarding the protection of minorities by, inter alia, taking due account of and giving effect to the Declaration,

Concerned by the growing frequency and severity of disputes and conflicts concerning minorities in many countries, and their often tragic consequences,

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

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81/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

82/ See resolution 2200 A (XXI), annex.

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural heritage of society as a whole of the States in which such persons live,

Taking note of the work of the High Commissioner for National Minorities of the Conference on Security and Cooperation in Europe,

Reaffirming the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration,

Having considered the report of the Secretary-General on the effective promotion of the Declaration, 83/

Mindful of the recommendations contained in section II, paragraphs 25 to 27, of the Vienna Declaration and Programme of Action, 84/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

1. Takes note with appreciation of the report of the Secretary-General on the effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

2. Urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the facilitation of their full participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development in their country;

3. Urges States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the principles contained in the Declaration;

4. Appeals to States to make bilateral and multilateral efforts, as appropriate, in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their countries, in accordance with the Declaration;

5. Calls upon the Commission on Human Rights to examine, as a matter of priority, ways and means to promote and protect effectively the rights of persons belonging to minorities, as set out in the Declaration;

6. Calls upon the Secretary-General to provide through the Centre for Human Rights of the Secretariat, at the request of Governments concerned and as

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83/ A/49/415 and Add.1.

84/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

part of the programme of advisory services and technical assistance of the Centre, qualified expertise on minority issues and human rights, as well as on the prevention and resolution of disputes, to assist in existing or potential situations involving minorities;

7. Requests the Secretary-General, in the implementation of the present resolution, to provide human and financial resources for such advisory services and technical assistance of the Centre for Human Rights, within existing resources;

8. Calls upon the United Nations High Commissioner for Human Rights to promote, within his mandate, the implementation of the principles contained in the Declaration and to continue to engage in a dialogue with Governments concerned for that purpose;

9. Urges all treaty bodies and special representatives, special rapporteurs and working groups of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities to give due regard, within their respective mandates, to the promotion and protection of the rights of persons belonging to minorities;

10. Invites the Secretary-General to continue the dissemination of information on the Declaration and the promotion of understanding thereof;

11. Encourages intergovernmental and non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

12. Calls upon States and the Secretary-General to give due regard to the Declaration in training programmes for officials;

13. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution under the item entitled "Human rights questions".

DRAFT RESOLUTION XV

Question of enforced or involuntary disappearances

The General Assembly,

Reaffirming the obligation of States under the Charter of the United Nations, in particular Article 55, to promote universal respect for, and observance of, human rights and fundamental freedoms,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolutions 46/125 of 17 December 1991 and 47/132 of 18 December 1992 on the question of enforced or involuntary disappearances,

Recalling also its resolution 47/133 of 18 December 1992 proclaiming the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States,

Emphasizing that, in the Vienna Declaration and Programme of Action, the World Conference on Human Rights welcomed the adoption of the Declaration on the Protection of All Persons from Enforced Disappearance and called upon all States to take effective legislative, administrative, judicial or other measures to prevent, terminate and punish acts of enforced disappearance, 85/

Noting that the Working Group on Enforced or Involuntary Disappearances considers the adoption of the Declaration to be the most encouraging development since its establishment in respect of efforts to combat enforced disappearances, especially in so far as it recognizes that the systematic practice of such acts is of the nature of a crime against humanity,

Expressing concern that, according to the Working Group, the practice of a number of States can run counter to the Declaration,

Convinced of the need to continue implementing the provisions of its resolution 33/173 and of the other United Nations resolutions on the question of disappeared persons, with a view to finding solutions for cases of disappearance and eliminating enforced disappearances, duly taking into account the provisions of the Declaration,

Convinced also that further efforts are needed to promote wider awareness of, and respect for, the Declaration on the Protection of All Persons from Enforced Disappearance,

Deeply concerned about the persistence of the practice of enforced disappearances in the world,

Concerned by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Bearing in mind Commission on Human Rights resolution 1994/39 of 4 March 1994, 86/

1. Reaffirms that any act of enforced disappearance is an offence to human dignity and a grave and flagrant violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights, 87/ and

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85/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III, sect. II, para. 62.

86/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

87/ Resolution 217 A (III).

reaffirmed and developed in other international instruments in this field, as well as a violation of the rules of international law;

2. Recalls that all acts of enforced disappearance are offences punishable by appropriate penalties which take into account their extreme seriousness under criminal law;

3. Reiterates its invitation to all Governments to take appropriate legislative or other steps to prevent and suppress the practice of enforced disappearances, in keeping with the Declaration on the Protection of All Persons from Enforced Disappearance, and to take action at the national and regional levels and in cooperation with the United Nations to that end;

4. Calls upon Governments to take steps to ensure that, when a state of emergency is introduced, the protection of human rights is ensured, particularly as regards the prevention of enforced disappearances;

5. Reminds Governments of the need to ensure that their competent authorities conduct prompt and impartial inquiries in all circumstances whenever there is reason to believe that an enforced disappearance has occurred in territory under their jurisdiction;

6. Recalls that, if allegations are confirmed, perpetrators should be prosecuted;

7. Once again urges the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment to which they might be subjected;

8. Encourages States, as some have already done, to provide concrete information on measures taken to give effect to the Declaration, as well as obstacles encountered;

9. Requests all States to consider the possibility of disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in the national and local languages;

10. Notes the action taken by non-governmental organizations to encourage implementation of the Declaration, and invites them to continue to facilitate its dissemination and to contribute to the work of the Subcommission on Prevention of Discrimination and Protection of Minorities;

11. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work;

12. Requests the Working Group, in the continued exercise of its mandate, to take into account the provisions of the Declaration and to modify its working methods if necessary;

13. Invites the Working Group to identify obstacles to the realization of the provisions of the Declaration and to recommend ways of overcoming those

obstacles, taking into account the discussions of the Subcommission on Prevention of Discrimination and Protection of Minorities;

14. Furthermore encourages the Working Group to continue to consider the question of impunity, in close collaboration with the rapporteur appointed by the Subcommission on Prevention of Discrimination and Protection of Minorities and with due regard for the relevant provisions of the Declaration;

15. Requests the Working Group to pay the utmost attention to cases of children subjected to enforced disappearance and children of disappeared persons and to cooperate closely with the Governments concerned to search for and identify those children;

16. Appeals to the Governments concerned, particularly those that have not yet replied to the communications transmitted by the Working Group, to cooperate fully with it and, in particular, to reply promptly to its requests for information so that, while respecting its working methods based on discretion, it may perform its strictly humanitarian role;

17. Encourages the Governments concerned to give serious consideration to inviting the Working Group to visit their countries so as to enable the Working Group to fulfil its mandate even more effectively;

18. Expresses its profound thanks to the many Governments that have cooperated with the Working Group and replied to its requests for information, and to the Governments that have invited the Working Group to visit their countries, asks them to give all necessary attention to the Working Group's recommendations and invites them to inform the Working Group of any action they take on those recommendations;

19. Calls upon the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group and to the follow-up of its recommendations when it considers the report to be submitted by the Working Group to the Commission at its fifty-first session;

20. Invites the Commission on Human Rights at its fifty-first session to consider extending for three years the term of the mandate of the Working Group, as defined in Commission resolution 20 (XXXVI) of 29 February 1980, 88/ while maintaining the principle of annual reporting, and requests the Working Group to continue to fulfil its mandate in a rigorous and constructive fashion;

21. Renews its request to the Secretary-General to continue to provide the Working Group with all the facilities it requires to perform its functions, especially in carrying out missions and following them up;

88/ See Official Records of the Economic and Social Council, 1980, Supplement No. 3 and corrigenda (E/1980/13 and Corr.1 and 2), chap. XXVI, sect. A.

22. Requests the Secretary-General to keep it informed of the steps he takes to secure the widespread dissemination and promotion of the Declaration on the Protection of All Persons from Enforced Disappearance;

23. Also requests the Secretary-General to submit to it at its fifty-first session a report on the steps taken to implement the present resolution;

24. Decides to consider the question of enforced disappearances, and in particular the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance, at its fifty-first session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

DRAFT RESOLUTION XVI

Strengthening of the rule of law

The General Assembly,

Recalling that, by adopting the Universal Declaration of Human Rights, 89/ Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that, as stressed in the Universal Declaration of Human Rights, the rule of law is an essential factor in the protection of human rights,

Also convinced that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Recognizing the importance of the role that can be played by the Centre for Human Rights of the Secretariat in supporting national efforts to strengthen the institutions of the rule of law,

Recalling the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations and under the coordination of the Centre for Human Rights with a view to helping States in the task of building and strengthening adequate national structures which have a direct impact on the overall observance of human rights and the maintenance of the rule of law, 90/

89/ Resolution 217 A (III).

90/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III, sect. II, para. 69.

Recalling also its resolution 48/132 of 20 December 1993, and Commission on Human Rights resolution 1994/50 of 4 March 1994, 91/

1. Welcomes the report of the Secretary-General submitted in conformity with resolution 48/132; 92/

2. Takes note with interest of the proposals contained therein for strengthening the programme of advisory services and technical assistance of the Centre for Human Rights of the Secretariat in order to comply fully with the recommendations of the World Conference on Human Rights concerning assistance to States in strengthening their institutions in the rule of law;

3. Praises the efforts made by the Centre for Human Rights to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

4. Expresses its deep concern at the scarcity of means at the disposal of the Centre for Human Rights for the fulfilment of its tasks;

5. Notes that the programme of advisory services and technical assistance does not have assistance funds sufficient to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends, but which face economic hardship;

6. Requests the Secretary-General to explore the possibilities of obtaining from all relevant institutions of the United Nations system, including financial institutions, acting within their mandates, technical and financial assistance to strengthen the realization of human rights and the maintenance of the rule of law;

7. Also requests the Secretary-General to submit a report to the General Assembly at its fiftieth session on the results of the contacts he may establish in accordance with paragraph 6 above, as well as on any other developments pertaining to the implementation of the recommendation of the World Conference on Human Rights contained in paragraph 69 of section II of the Vienna Declaration and Programme of Action.

91/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

92/ A/49/512.

DRAFT RESOLUTION XVII

Strengthening of the Centre for Human Rights of the Secretariat

The General Assembly,

Recalling its resolutions 44/135 of 15 December 1989, 45/180 of 21 December 1990, 46/111 and 46/118 of 17 December 1991, 47/127 of 18 December 1992 and 48/129 and 48/141 of 20 December 1993, and bearing in mind all relevant resolutions of the Economic and Social Council and the Commission on Human Rights,

Considering that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic purposes of the United Nations enshrined in the Charter of the United Nations and a priority activity of the Organization,

Bearing in mind that the Secretary-General, in his reports on the work of the Organization for 1992 and 1994, stated that the Charter of the United Nations places the promotion of human rights as a priority objective, along with promoting development and preserving international peace and security, 93/ and that the continuous increase in requests is increasing the workload of the Centre for Human Rights of the Secretariat and placing ever greater demands on its resources, 94/

Taking into account that in the Vienna Declaration and Programme of Action, the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, concerned by the growing disparity between the activities of the Centre and the human, financial and other resources available to carry them out, and bearing in mind the resources needed for other important United Nations programmes, requested the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme from within the existing and future regular budgets of the United Nations, and to take urgent steps to seek increased extrabudgetary resources, 95/

Taking into account also the establishment of the post of the United Nations High Commissioner for Human Rights, as well as the mandate for the post, including its coordinating role and its overall supervision of the Centre, as well as the request by the General Assembly in its resolution 48/141 for appropriate staff and resources to enable the High Commissioner to fulfil his mandate,

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93/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 1 (A/47/1), para. 100.

94/ Ibid., Forty-ninth Session, Supplement No. 1 (A/49/1), para. 387.

95/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III, sect. II, para. 9.

Taking into account further the fact that the responsibilities of the High Commissioner include, inter alia, engaging in a dialogue with all Governments in the implementation of his mandate with a view to the promotion and protection of all human rights, and rationalizing, adapting, strengthening and streamlining the United Nations machinery in the field of human rights with a view to improving its efficiency and effectiveness,

Noting that in the Vienna Declaration and Programme of Action, the World Conference on Human Rights stressed the importance of strengthening the Centre,

Noting also that the difficult financial situation of the Centre has created considerable obstacles to the implementation of the various procedures and mechanisms and has negatively influenced the servicing by the Secretariat of the human rights bodies concerned,

Noting with appreciation the measures already taken by the Assistant Secretary-General for Human Rights, Head of the Centre for Human Rights, aimed at improving the administration and management of the Centre,

Acknowledging that, while further improvement in the functioning and efficiency of the Centre, together with a strong emphasis on good management practices, is needed in order to enable the Centre to cope with its constantly increasing workload, good management practices need to be complemented by additional resources commensurate with additional mandates,

Recalling that in its report to the Special Commission of the Economic and Social Council, 96/ the Commission on Human Rights reaffirmed that the paramount consideration in the employment of staff at every level was the need for the highest standards of efficiency, competence and integrity, and that it was convinced that that was compatible with the principle of equitable geographical distribution, and bearing in mind Article 101, paragraph 3, of the Charter of the United Nations,

Taking note of the report of the Secretary-General on the strengthening of the Centre, 97/

Taking note also of the report of the United Nations High Commissioner for Human Rights, 98/

1. Supports the efforts of the Secretary-General to enhance the role and importance of the Centre for Human Rights of the Secretariat, under the overall supervision of the United Nations High Commissioner for Human Rights;

2. Requests the Secretary-General and Member States to ensure that appropriate additional financial, material and personnel resources are provided

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96/ E/CN.4/1988/85 and Corr.1, para. 30.

97/ A/49/595.

98/ A/49/36.

in 1994-1995 from within the programme budget for the biennium 1994-1995 99/ to enable the Centre and the High Commissioner to carry out, in full and on time, the respective mandates assigned to them by the competent bodies dealing with human rights;

3. Calls upon the Secretary-General to include in his submission for the proposed budget for the biennium 1996-1997, giving due regard to development and other priority activities of the United Nations, human and financial resources for United Nations human rights activities, adequate to respond to the increase in mandated activities in order to enable the Centre and the High Commissioner to carry out their respective mandates efficiently and effectively;

4. Requests the Secretary-General to make available additional human and financial resources:

(a) To the United Nations High Commissioner for Human Rights so as to enhance his ability to coordinate effectively human rights promotion and protection activities throughout the United Nations system, including the provision of advisory services and technical assistance;

(b) To the Centre so as to strengthen its ability to discharge all its mandates, as well as its ability to deal with administrative and budgetary matters, including the provision of advisory services;

(c) To the High Commissioner and the Centre so as to enhance their ability to carry out mandated operational activities and to coordinate efficiently with other relevant parts of the United Nations system on logistical and administrative questions;

5. Emphasizes that, while steps are being taken to improve the administrative efficiency of the Centre, and noting with appreciation the measures recently taken by the Assistant Secretary-General for Human Rights, Head of the Centre for Human Rights, aimed at improving the management of the Centre, further steps should be undertaken to analyse the present and future utilization of available human and financial resources as well as additional measures to improve further the administrative efficiency and effectiveness of the Centre, if required with appropriate technical assistance;

6. Requests the Secretary-General to submit an interim report to the Commission on Human Rights at its fifty-first session and a final report to the General Assembly at its fiftieth session on the strengthening of the Centre and on the measures taken to implement the present resolution.

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99/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 6 (A/48/6/Rev.1).

69. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Documents considered by the General Assembly in connection with human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

The General Assembly takes note of the report of the Secretary-General on respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes. 100/

100/ A/49/410.